

Senator Winfield, Representative Stafstrom, ranking members Kissel and Fishbein and distinguished members of the Judiciary Committee:

I am a 75-year-old resident of Danbury and a supporter of CT Against Gun Violence. I am writing in SUPPORT of HB 6355 An Act Concerning Risk Protective Orders.

My family includes many people, and myself, who struggle with depression. Most of us know how dangerous it would be to have easy access to firearms. Unfortunately, others in my family do not. Firearm suicide accounts for up to two-thirds of gun deaths and is the second leading cause of suicide in Connecticut. We need to strengthen our Extreme Risk Protection Order law to help it save more lives.

Because there are often warning signs preceding violent or suicidal behavior this last-resort measure with due process protections is an effective tool for reducing gun violence. Risk protection laws are demonstrated to reduce firearm suicide. A Duke/Yale/UCONN study reported that for every 10-20 risk protection orders issued under Connecticut's ERPO law, one suicide is prevented. Another study reported that Indiana's extreme risk laws reduced firearm suicide rates 7.5%.

Connecticut was the first state in the nation to pass an Extreme Risk Protection Order law, in 1999. It is time to strengthen the law so that it works harder to prevent gun violence. In particular, when the protection order expires, it should be a requirement that the subject is no longer at risk of violence before the firearms are returned. That is not the case now.

ERPOs are effective because even though individuals may legally possess guns, they can be dangerous to themselves or others. Background checks are a point-in-time measure that can't detect dangers that family members, friends and co-workers can sense. Individuals considering suicide often give some sign of their intentions. An FBI study of the pre-attack behaviors of active shooters found on average they displayed four to five observable and concerning behaviors that suggested the possibility of violent intentions.

Allowing family members to petition the court directly, as 12 other states do, provides an alternative means of initiating the process for people who are reluctant to involve law enforcement at the outset, because they fear law enforcement or are concerned about stigmatizing the gun owner as a criminal.

Claims by opponents that ERPO laws violate due process have no merit. According to the Giffords Law Center, no court has invalidated an extreme risk protection order or risk-warrant law. Courts in Connecticut, Indiana, and Florida that have heard challenges to ERPO laws have held they do not violate the due process and/or are constitutional under the Second Amendment. There is no evidence that the process is used to harass gun owners. Judges are required to have clear and convincing evidence to issue final risk protection orders.

I ask that you favorably report HB-6355 out of committee so that the General Assembly can vote to strengthen our Extreme Risk Protection law so that it works harder to prevent firearm suicide and homicide. Thank you for your consideration.

Sincerely,

Christine Halfar
Danbury CT